

### **3.0 STEPS TAKEN AFTER A PETROLEUM RELEASE IS REPORTED**

When a known or suspected release is reported to the department, state program personnel obtain as much information as possible on the spill or contamination. State program personnel fill out a "South Dakota Spill Report Form," and enter the information into a database. Department personnel may offer technical advice and guidance to the responsible person and local responders on how to deal with emergency response issues and how to proceed with assessment/cleanup work.

Once the initial telephone report is received, the department sends a letter to the responsible person, outlining the assessment/remediation work required. Attached to the letter is a "Written Contamination Incident Follow Up Report Form". The responsible person must complete the form and return it to the department as directed. In addition to the above, all cleanup and assessment work must be completed within time frames established by the department.

If a release poses an immediate threat to human health or the environment, or if such a threat arises, immediate action must be taken by the responsible person. These actions may include:

- Stopping the release at the source (if it can be done safely);

- Evacuating the area;

- Shutting off all ignition sources;

- Containing the released material with the use of earthen berms, kitty litter, floor dry or sorbent fabrics;

- Notifying appropriate state and local agencies.

#### **3.1 Situations where Immediate Action is Required**

Situations which pose an immediate threat include, but are not limited to, the following:

##### **3.1.1 Vapors in buildings**

If vapors are detected in a building, the responsible person is required to immediately notify all people living or working in the impacted structure, local authorities, the department, and any other appropriate person or agency. The responsible person should work with the local fire department or other qualified local entities to determine if the vapor concentration is at an explosive level and if there are any possible threats to any occupant of the structure. Once the situation has been investigated, additional action may be required of the responsible person. This additional action may include, but is not limited to: evacuating the building, obtaining the services of an environmental consultant, installing explosion-proof fan(s); replacing basement concrete walls; accelerating assessment and remediation work; and long-term monitoring of air quality in the building. See Chapter 7 for further details on air monitoring.

##### **3.1.2 Vapors or free product in utilities**

If vapors or free product is detected in utility lines, the responsible person must immediately notify local authorities, the department and any other appropriate agency. The responsible

person may also be required to work with the local fire department or other appropriate agencies to investigate and determine if the vapor concentration is at an explosive level or if the vapors could rise to an explosive level. The responsible person is strongly encouraged to comply with fire department recommendations for alleviating any threat of an explosion. Once the situation has been investigated, the department will work with the responsible person to determine the next appropriate step. The required remedy may include: installing an explosion proof fan to ventilate the sanitary or storm sewer lines; removing all manhole covers to ventilate the sewer (if the city believes it can restrict access to the open manholes); obtaining the services of an environmental consultant; flushing the sewer lines with water (the city must provide prior approval); accelerating the assessment and remedial work at the site; replacing the utility lines; monitoring of the sewer lines and utilities; recovering product from storm sewers; or testing air quality in nearby homes and businesses. See Chapter 7 for further details on air monitoring in utilities.

### **3.1.3 Contaminated drinking water wells or water lines**

If drinking water well or drinking water line becomes contaminated, the responsible person must immediately notify the department, local system operators, users of the impacted private well or line, and other appropriate agencies as necessary. After all immediate threats have been eliminated; the department will work with the responsible person to determine what further actions are needed. The steps to be taken may include: provide an alternate source of drinking water and an alternate wash water source; obtain the services of an environmental consultant; install a water treatment system; and proceed with an accelerated schedule for assessment and remediation of the contamination.

### **3.1.4 Sudden/Catastrophic release onto the ground surface**

If a release less than 25 gallons occurs and is cleaned up within 24 hours, the release does not need to be reported to the department. If a release greater than 25 gallons occurs, the responsible person must immediately notify all appropriate agencies. In the case of a sudden/catastrophic release, the responsible person must take immediate actions. Actions may include putting up dikes, utilizing some type of absorbent material, such as soil, kitty litter, or floor dry, or covering the area with a tarp. These actions may prevent runoff to any surface water body, and may minimize migration of the contaminant over or into the ground surface. Attention should be paid to the presence of petroleum vapors and the risk that these vapors present. The responsible person may also be required to take action to prevent access to the spill area by the public (putting up fences, etc.). After public access has been restricted, and the imminent threat of runoff to surface water has been alleviated, the responsible person must proceed with assessment and remediation of the site using the tiered approach described in Chapter 4.

In situations where the release quantity does not exceed 200 gallons, the responsible person has several cleanup options. **The responsible person must propose the preferred remedial option to the department, and must gain department approval before proceeding with the corrective action.** These options may include:

- Assess the site and determine the cleanup level using the Risk Based Corrective Action approach described in this Handbook;

- Remove a minimum of the top 12 inches of visibly contaminated soil, and replace it with clean fill (no cleanup confirmation sampling will be necessary); or
- Conduct a survey to identify possible receptors. The department will review this information to determine if cleanup is necessary.

Once the corrective action is completed, a report must be submitted to the department for review. The report should contain the following information: any data collected during or after cleanup; the location of the contaminated soil disposal or treatment facility; and a narrative explaining the work that was conducted.

If the release is greater than 200 gallons the responsible person must proceed with assessment and remediation of the site using the tiered approach described in Chapter 4.

### **3.1.5 Release onto pavement or other hard surfaces**

If a reportable quantity of a petroleum substance is released directly onto pavement or some other relatively impermeable surface, the responsible person must take immediate action (such as putting up dikes or covering with soil or using some type of absorbent material) to prevent the spread of contamination over and into the ground surface or to any surface water body. Attention should be paid to the presence of petroleum vapors and the risk that these vapors present. The responsible person may be required to take action to prevent access to the spill area by the public (putting up fences, etc.). Once public access has been restricted and the imminent threat of runoff to the ground surface and surface water has been alleviated, the responsible person must pick up the spilled material and properly dispose of it. An absorbent material such as kitty litter, soil, or floor dry can be used to absorb small quantities of free product. This material must be picked up and disposed of at a permitted facility. Please contact the department's Waste Management Program at 605-773-3153 for further details.

### **3.1.6 Release to air**

If a petroleum substance (such as propane, butane, methane, liquefied petroleum gas, etc.) is released to the air, the responsible person must notify persons potentially impacted by the release, the department, and local authorities. The responsible person must also take immediate steps to ensure evacuation of the area if the release poses any possible threat to human health. If the release is ongoing, the responsible person must take action to stop the release if this can be done safely. The department will evaluate the situation when it is reported and work with the responsible person and local agencies to determine if any additional response actions are necessary.

### **3.1.7 Product currently leaking from tanks or lines**

If it is discovered that product is leaking from a line or tank as determined by appropriate release detection methods, inventory reconciliation, visible surfacing of product, utility impacts, or visible leaking, the responsible person must immediately take action to stop the release. The responsible person must also remove all remaining product from the tanks and/or lines so that leakage does not continue. The department will evaluate the situation and work with the responsible person and local agencies to determine if any additional response actions are necessary.

### **3.1.8 Threats to Surface Water and Wetlands**

If a petroleum release threatens or impacts surface water or a wetland, the responsible person must immediately take actions to stop further releases and collect recoverable product. In addition, if the impact to the surface water is significant, the responsible party must ensure that downstream water users, cities, adjacent state environmental agencies, local, and federal agencies are notified. Agencies that must be contacted if surface water or a wetland is impacted include the following:

South Dakota Department of Environment and Natural Resources	605-773-3296
South Dakota Game Fish and Parks	605-773-3387
Environmental Protection Agency – National Response Center	800-424-8802

If the release of a regulated substance has caused, or has the potential to cause, a violation of South Dakota surface water quality standards, corrective action beyond the requirements in the Handbook may be required on a site-specific basis to correct or prevent impacts to surface water. The department's Surface Water Program should be contacted at 605-773-3351 if there are any questions concerning surface water quality standards.

### **3.1.9 Impacts to Ground Water and Soils**

If during a tank excavation, utility work, or during building construction, impacts to ground water or to soils are discovered, immediate actions may be necessary. The presence of the contamination must be reported to the department. The department will work with the responsible person, if one can be identified, or with the contractor and will provide direction on how to deal with the contaminated water and soils. Department direction may include information on testing requirements, disposal options, and additional assessment, and clean up requirements.

Construction dewatering activities that discharges to surface water or sanitary sewers are regulated by the department's Surface Water Quality Program. Please contact the Surface Water Quality Program at 605-773-3351 before a discharge occurs. For further information on construction derived contaminated material, see Chapter 9.0.